IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 618 OF 2007
IN
CIVIL APPLICATION NO. 5894 OF 1990
IN
SECOND APPEAL NO. 669 OF 1990

Hasan Bapu Patel
since deceased through L.Rs. & Ors. ...Applicants
V/s.
Gafur Bapu Patel & Ors. ...Respondents

Mr.Sachin V. Dhakephalkar for the Applicants.
Mr.Dilip Bodake for Respondent Nos.3, 4, 5 and 7.

CORAM : V.M. KANADE, J.
(VACATION JUDGE)

DATED : MAY 9, 2007

P.C. :-

1. Heard the learned Counsel for the applicants.

2. It is submitted that the second appeal which was dismissed for want of prosecution was restored by order dated 28th March, 2007. The applicants filed the present civil application for clarification that by virtue of restoration of appeal, the interim stay order dated 20th December, 1990 which was in the civil application be restored.

3. It is clarified that on restoration of the Second Appeal by order dated 28th March, 2007 passed by this Court in Second Appeal No.669/90, the interim stay order dated 20th December, 1990 passed in Civil Application No.5894/1990 also restored and shall continue to operate during the pendency of the appeal.

3. With these directions, Application is disposed of.

(V.M. KANADE, J.)